

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. C 11-00182 CRB

Plaintiff,

ARGUMENT ORDER

v.


ROBERTO ACOSTA,

Defendant.

The parties are directed to appear at the pretrial conference tomorrow prepared to address how Santamaria v. Horsley, 133 F.3d 1242 (9th Cir. 1998) (en banc) applies to the double jeopardy issue raised in Defendant's Motion in Limine to Exclude Evidence Relating to Federal Prosecutor Theory of Materiality (dkt. 89), if at all.

IT IS SO ORDERED.

Dated: May 31, 2012



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE